



SCHOOL BUS, INC.

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DEPARTMENT OF EDUCATION "POINT OF CONTACT" **AUGUST 2006 NEWSLETTER**

School Bus Driver In-service Web Site:

<http://doe.sd.gov/oatq/transportation/index.asp>

If you need to attend a training session you may go to the above web site to see the schedule, times and locations.

Head Start Deadline Delayed Again

In a supplemental budget bill concerned primarily with appropriating additional money for the war in Iraq and hurricane relief, the Senate included yet another delay in the deadline for all Head Start students to be transported in school buses or multifunction school activity buses (MFSAB).

Even though that provision was not in the House version, it made it into the final bill, signed by the President last month. You may remember that the original deadline, January 1, 2006, was extended to June 30 in an earlier appropriations bill. Now the deadline is December 31, 2006.

Seat Belt Suit Thrown Out of Court

Last week a circuit court Arkansas dismissed a lawsuit against Thomas Built Buses and its local dealer brought by the families of students injured in 2003 crash on the grounds that the bus was not equipped with seat belts. A 14-year-old girl was killed and more than 20 children were injured, two seriously, when the bus driver, distracted by disturbance on the bus, apparently lost control. The 1996 bus left the roadway, slid down an embankment, hit several trees and split apart.

The school district and driver are protected from liability by governmental immunity. Lawyers for the families of eleven children filed suit in January 2005, claiming that the bus was defective and unsafe because it didn't have seat belts. A jury trial was scheduled to begin this week. In granting the defendants' motion for summary judgment, the judge noted that the state legislature had studied the issue of seat belts on school buses in 1984 and again in the 1990s and had decided against requiring them. Thomas Built had provided a bus according to the school district's specifications, and the bus met all state requirements without belts. The attorneys for the families said they will appeal the judgment.

NHTSA Releases 2006 CSRS Ratings

The National Highway Traffic Safety Administration has released its 2006 Ease of Use Ratings for the child safety restraint systems, awarding 85 models an overall "A" rating. The agency tested 99 models for 2006, three more than it tested last year. The purpose of the ratings program, which began in 2003, is to educate consumers about child safety seat features and to assist them in finding the appropriate CSRS for their needs. According to the agency, manufacturers have improved their labeling and instructions each year, demonstrating that they are mindful of the Ease of Use criteria in developing new designs and improving current ones. CSRS are rated in five categories, assembly, labels, instructions, attachment and child securement. In order to get an A ratio, the seat must earn an A in all categories. None of the tested seats earned an overall "C" rating, there were Cs in the individual categories. You can find a chart of the ratings on the FMCSA website at <http://www.nhtsa.dot.gov/CPS/CSSRating/Index.cfm>. The chart is useful not only for the ratings, but also for locating the proper restraint for the height and weight of the child you are transporting.

Recalls

Blue Bird Vision, manufactured from April 7 to May 26, 2006 and **Thomas Built C2 and HDX**, manufactured from April 1 to May 26, 2006, equipped with Bendix modulated spring brake valves. The check valve inside the valve cavity may not properly seat, causing internal air leakage. This can result in a delay in the application of the park brake. As a consequence, the bus may roll unexpectedly. Manufacturers will replace the check valve free of charge. The Thomas recall is expected to begin on June 30; the Blue Bird recall is expected to begin July 14, 2006.

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